

IN THE SUPREME COURT OF THE STATE OF DELAWARE

DARREN RICHARDS,¹

Petitioner Below,
Appellant,

v.

BROOKE BROWN,

Respondent Below,
Appellee.

§

§ No. 422, 2020

§

§ Court Below—Family Court
§ of the State of Delaware

§

§ File No. CK14-02016

§ Petition No. 19-27340

§

§ IN THE INTEREST OF:

§ ADAM RICHARDS

Submitted: June 11, 2021

Decided: August 3, 2021

Before **SEITZ**, Chief Justice; **VALIHURA** and **MONTGOMERY-REEVES**,
Justices.

ORDER

After careful consideration of the parties’ briefs and the record on appeal, we conclude that the judgment below should be affirmed on the basis of the Family Court’s order dated November 12, 2020. The appellant filed a petition in the Family Court seeking modification of the parties’ child’s primary residential placement, which had been determined in January 2017 after a full hearing on the merits. The Family Court appropriately considered the factors set forth in 13 *Del. C.* § 729(c)(2), including carefully weighing the best interest factors in light of the evidence

¹ The Court previously assigned pseudonyms to the parties pursuant to Supreme Court Rule 7(d).

presented. In concluding that the child's primary residence should remain with the appellee, the Family Court acted within its broad discretion.²

NOW, THEREFORE, IT IS ORDERED that the judgment of the Family Court is AFFIRMED.

BY THE COURT:

/s/ Collins J. Seitz, Jr.
Chief Justice

² See *Russell v. Stevens*, 2007 WL 3215667 (Del. Nov. 1, 2007) (affirming Family Court's award of primary residential placement and stating that when the Family Court appropriately considers and weighs each of the best interest factors, the "law vests wide discretion in the trial court to determine where custody shall be placed").